

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

True the Vote, Jane Coln, Brandie Correro,  
Chad Higdon, Jennifer Higdon, Gene  
Hopkins, Frederick Lee Jenkins, Mary  
Jenkins, Tavish Kelly, Donna Knezevich,  
Joseph Knezevich, Doris Lee, Lauren Lynch,  
Norma Mackey, Roy Nicholson, Mark  
Patrick, Julie Patrick, Paul Patrick, David  
Philley, Grant Sowell, Sybil Tribble, Laura  
VanOverschelde, and Elaine Vechorik

**Plaintiffs,**

V.

The Honorable Delbert Hosemann, in his official capacity as Secretary of State for the State of Mississippi, The Republican Party of Mississippi, Copiah County, Mississippi Election Commission, Hinds County, Mississippi Election Commission, Jefferson Davis County, Mississippi Election Commission, Lauderdale County, Mississippi Election Commission, Leake County, Mississippi Election Commission, Madison County, Mississippi Election Commission, Rankin County, Mississippi Election Commission, Simpson County, Mississippi Election Commission, and Yazoo County, Mississippi Election Commission

### Defendants.

Cause No. 3:14-cv-00532-HTW-LRA

## SUMMARY JUDGMENT EXHIBITS – VOLUME 2

Exhibit	Description
3	Declaration of Julia Hoenig and Incident Reports
4	Declaration of Mike Rowley and Incident Reports

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

True the Vote, Jane Coln, Brandie Correro, Chad Higdon, Jennifer Higdon, Gene Hopkins, Frederick Lee Jenkins, Mary Jenkins, Tavish Kelly, Donna Knezevich, Joseph Knezevich, Doris Lee, Lauren Lynch, Norma Mackey, Roy Nicholson, Mark Patrick, Julie Patrick, Paul Patrick, David Philley, Grant Sowell, Sybil Tribble, Laura VanOverschelde, and Elaine Vechorik

**Plaintiffs,**

The Honorable Delbert Hosemann, in his official capacity as Secretary of State for the State of Mississippi, The Republican Party of Mississippi, Copiah County, Mississippi Election Commission, Hinds County, Mississippi Election Commission, Jefferson Davis County, Mississippi Election Commission, Lauderdale County, Mississippi Election Commission, Leake County, Mississippi Election Commission, Madison County, Mississippi Election Commission, Rankin County, Mississippi Election Commission, Simpson County, Mississippi Election Commission, and Yazoo County, Mississippi Election Commission

#### **Defendants.**

Cause No. 3:14-cv-00532-HTW-LRA

## **DECLARATION**

By: Julia Hoenig

1. I, Julia Hoenig, verify under penalty of perjury under the laws of the United States of America that the following is true and correct. See 28 U.S.C. § 1746.
  2. In the days following the June 24 Republican Primary Run-Off Election, I was part of a group of True the Vote volunteers who requested access to voting records from the Circuit Clerks of Rankin, Simpson and Jefferson Davis Counties. The purpose of my requests were to determine whether or not voters who had

### **EXHIBIT 3**

voted in the Democratic Primary unlawfully double voted in the Republican Primary Run-Off Election and whether any other irregularities had occurred during the Election.

3. I made an oral request at the Jefferson Davis County circuit clerk's office on July 7, 2014 for voter pollbooks and absentee ballot applications and envelopes.

4. The circuit clerk's office did not allow the records to be made available to the general public for inspection, citing an email from the Secretary of State's Office.

5. I also made an oral request for the records in person at the Rankin County circuit clerk's office on July 7, 2014. I requested access to voter pollbooks, absentee ballot applications and envelopes, and electronic files from Circuit Clerk Becky Boyd.

6. The clerk did not allow us to inspect absentee ballot applications or voter pollbooks. She relied on Mississippi Statute 23-15-911 and instructions from the Secretary of State as grounds for her decision, even though we cited the National Voter Registration Act in making our request.

7. After being instructed to fill out a request for the records, the group completed a written request for records asking to view pollbooks in Rankin County. Concerning the electronic data files, Circuit Clerk Boyd informed us that we would be granted access at a cost of \$.50/page or \$20/hour. For pollbooks, we could not be granted access until birthdates were redacted.

8. On July 7, 2014 and July 8, 2014, Mike Rowley and I made a written request for voter pollbooks and absentee ballot applications and envelopes from the Simpson County Circuit Clerk's office. We were denied access to absentee ballot applications and envelopes under the National Voter Registration Act.

9. The following day, Simpson County's deputy clerk called me regarding our visit. The deputy clerk, LuAnn Bailey, would have allowed pollbooks to be made available for public inspection, but only if the County redacted voter birthdates from the pollbooks. The clerk relied on information from the Secretary of State in allowing only limited access to the requested records. The clerk further advised a list of primary voters for the Republican and Democratic Primary Elections would be processed in "SEMS," which could generate a report for such information. It would cost \$150 to access such information once processed. Mike Rowley

completed a written request for such records.

10. Based on these events, I was unable to access or inspect the complete voter pollbooks and records within Jefferson Davis, Rankin and Simpson Counties.

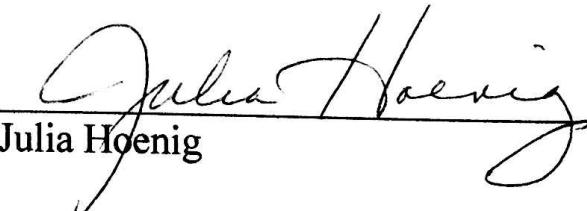
11. Attached to this declaration are true and correct copies of the incident reports I completed regarding my visit to the Jefferson Davis, Simpson and Rankin County Circuit Clerks' offices. The incident reports are filled out in my own handwriting and I recognize the writings as ones I completed based on their appearance, contents and substance.

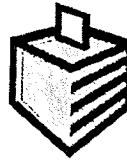
12. My Simpson County incident reports contain attached written records requests signed by Mike Rowley. Mike Rowley was a member of our volunteer group and I recognize the requests as true and correct copies of the requests he made in his own handwriting on the dates we visited Rankin and Simpson Counties, based on my familiarity with his handwriting and its appearance, contents and substance.

13. The attached incident reports were prepared by me to describe the events that occurred during my visits. I made the reports immediately after the events described therein and when those events were fresh in my memory. Upon completing the reports, I gave them to True the Vote to maintain in its records.

14. Further, declarant sayeth not.

Signed on this 5 day of August, 2014.

  
Julia Hoenig



## TRUE *the* VOTE

### INCIDENT REPORT

**NAME** Julia Hoenig

**DATE** 7/8/14

Please complete the fields below using the notes from your activities as a poll watcher.

**PRECINCT/WARD #** N/A

**POLLING PLACE NAME** LuAnn Bailey Interim circuit clerk

**ADDRESS** 100<sup>W</sup> Court Ave

**CITY** Mendenhall

**STATE** MS

**ZIP** 39114

**COUNTY** Simpson

Please complete the fields below using your notes.

**POLL SUPERVISOR**

**ASST POLL SUPERVISOR**

**CLERK 1 NAME**

**CLERK 2 NAME**

**CLERK 3 NAME**

**CLERK 4 NAME**

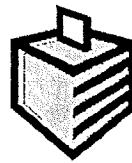
**OFFENDER POSITION**

**DATE/TIME OF INCIDENT**

approx 12:30 pm 7/8/14

Continue to Second Page

**EXHIBIT 3-A**



## TRUE the VOTE

<b>TYPE OF INCIDENT</b>	unable to provide data
<b>DESCRIPTION OF INCIDENT</b>	<p>LuAnn Bailey left voicemail pertaining to our visit to her county yesterday. Her responses:</p> <ol style="list-style-type: none"> <li>1. We could come at 2:00pm to see poll book only if they redacted BD</li> <li>2. We are unable to see absentee apps/envelopes b/c this doesn't fall under NVRA law. It cannot be reviewed by anyone other than campaign affiliated volunteers <del>and</del> or candidate b/c they are considered part of the 'ballot box'. We may submit written request and the AG's lawyers will review. Mike Rawley did so at 1:34 pm, thru TurboScan att: LuAnn Bailey - see attachment.</li> <li>3. Electronic data on R/D run-off voters has not been 'processed' yet so they cannot provide yet. Absentee names for both elections is available, she can provide along w/ Primary voters both R/D. This will cost \$150. The primary voter list will be report generated by SEMS. The absentee list will be manually done by her. Can only be in PDF format.</li> </ol>
<b>REMEDY OR ACTION TAKEN</b>	<p>Sent email to LuAnn confirming I will take the reports on 7/8/14 @ 1:35 pm by me &amp; copied Vicki Pollet. We are delivering \$150 money order.</p> <p>Note: This info was given to LuAnn by SOS's office. And Phil Carter in AG office</p> <p>Lastly: Poll Book, she could show us it w/ redacted BD only b/c it is not covered under NVRA</p>

I certify and affirm that the above information is true and correct.

**SIGNATURE**

Julia Haeny 7/8/14

Mail To:  
True the Vote  
P.O. Box 27378  
Houston, Texas 77227

Julia Haeny 7-8-14

Scan and E-mail to:  
info@truethevote.org

PUBLIC RECORD REQUEST

REQUESTING INDIVIDUAL:

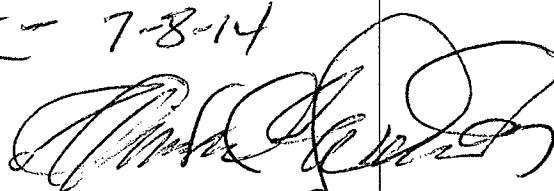
NAME: MICHAEL ROWLEY Julie Hoenig  
MAILING ADDRESS: P.O. Box 131768  
CITY: HOUSTON STATE: TX ZIP: 76219-1768

RECORDS REQUESTED

PHYSICAL EXAMINATION OF THE ABSENTEE BALLOT  
APPLICATIONS, ABSENTEE BALLOT, AND POLLBOOK FROM  
THE JUNE 24, 2014 RUNOFF.

DATE OF REQUEST - 7-8-14

SIGNATURE -



MICHAEL E. ROWLEY

ACTION #

LUCILLE BAILEY

simpsoncircuit@co.simpson.ms.us



## TRUE *the* VOTE

### INCIDENT REPORT

NAME *Julia Hoenig*

DATE *7/7/14*

Please complete the fields below using the notes from your activities as a poll-watcher

PRECINCT/WARD # *N/A*

POLLING PLACE NAME *Simpson County Circuit Court*

ADDRESS

CITY *Mendenhall*

STATE *MS*

ZIP *39114*

COUNTY *Simpson County*

Please complete the fields below using your notes.

POLL SUPERVISOR *Luan Bailey Interim Circuit Clerk*

ASST POLL SUPERVISOR

CLERK 1 NAME

CLERK 2 NAME

CLERK 3 NAME

CLERK 4 NAME

OFFENDER POSITION

DATE/TIME OF INCIDENT

*3:50 pm 7/7/14*

Continue to Second Page

EXHIBIT 3-B



## TRUE the VOTE

**TYPE OF INCIDENT**

Unable to see absentee ballots or receive electronic data

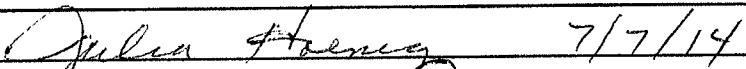
**DESCRIPTION OF INCIDENT**

Luann was so new that she was unaware of whether she could provide electronic data to us. Will check & get back to us. As far as our request to see absentee ballots / poll book, she was ok w/ it, but McDaniels campaign was there and weren't ok w/ us being w/ them. She said we could come back but the campaign would also be there again tomorrow. If anyone notified her that we could join them, we could ~~do~~ 

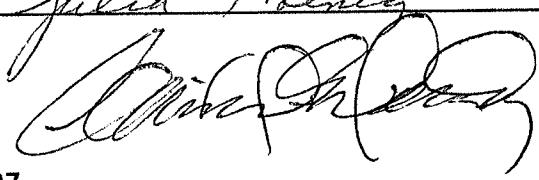
**REMEDY OR ACTION TAKEN**

I certify and affirm that the above information is true and correct.

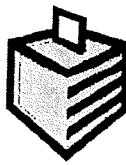
**SIGNATURE**

 7/7/14

Mail To:  
True the Vote  
P.O. Box 27378  
Houston, Texas 77227



Scan and E-mail to:  
[info@truethevote.org](mailto:info@truethevote.org)



# TRUE *the* VOTE

## INCIDENT REPORT

**NAME** Julia Henig

**DATE** 7/7/14

Please complete the fields below using the notes from your activities as a poll watcher.

**PRECINCT/WARD #** N/A

**POLLING PLACE NAME** Rankin County Circuit Court

**ADDRESS** 215 E. Gov't St

**CITY** Brandon

**STATE** MS

**ZIP** 39043

**COUNTY** Rankin

Please complete the fields below using your notes.

**POLL SUPERVISOR** Rebecca Boyd Circuit Court  
(Circuit Clerk)

**ASST POLL SUPERVISOR**

**CLERK 1 NAME**

**CLERK 2 NAME**

**CLERK 3 NAME**

**CLERK 4 NAME**

**OFFENDER POSITION**

**DATE/TIME OF INCIDENT**

approx 2:00 pm 7/7/14

Continue to Second Page

EXHIBIT 3-C



## TRUE the VOTE

**TYPE OF INCIDENT**

questionable ballot procedure

**DESCRIPTION OF INCIDENT**

In ballot box #655, 'Primary Run-off ballots & Absentee Ballots & Affidavits' (Rejected Affidavits) there was 1 military absentee ballot envelope. It had no application or ballot attached. Simply had a note on it saying it came in by email. No indication of was rejected - & yet it was w/ the stack of rejected affidavits & 1 rejected absentee envelope. The

deputy clerk overseeing our process told us ~~she~~ she had (name unknown)

**REMEDY OR ACTION TAKEN**

no idea why it was in that stack. According to her, it looked valid. Perhaps the actual ballot was in the other ballot box w/ absentee ballots - we don't know. But this military, absentee envelope should have been in box #2414 w/ all other absentee, accepted envelopes & applications. Note

the procedure from military emails would be for a deputy clerk to handle the ballot for the emailed military ballot. She could not

**SIGNATURE**

*Julia Henry*

Mail To:

True the Vote  
P.O. Box 27378  
Houston, Texas 77227

Scan and E-mail to:  
info@truethevote.org

tell us if this happened or not.

Witnessed : *John M. Webb*, 7/1/2014  
*Julia Henry* 7/1/2014



## TRUE *the* VOTE

### INCIDENT REPORT

NAME *Julia Hoenig*

DATE *7/7/14*

Please complete the fields below using the notes from your activities as a poll watcher.

PRECINCT/WARD # *N/4*

POLLING PLACE NAME *Rankin County Circuit Court*

ADDRESS *215 E. Gov't St*

CITY *Brandon*

STATE *MS*

ZIP *39043*

COUNTY *Rankin*

Please complete the fields below using your notes.

POLL SUPERVISOR *Rebecca Boyd* *Circuit Court*  
*(Circuit Clerk)*

ASST POLL SUPERVISOR

CLERK 1 NAME

CLERK 2 NAME

CLERK 3 NAME

CLERK 4 NAME

OFFENDER POSITION

*1:45*

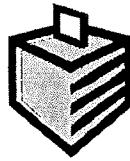
DATE/TIME OF INCIDENT

*approx. 2:00 pm*

*7/7/14*

Continue to Second Page

EXHIBIT 3-D



## TRUE the VOTE

**TYPE OF INCIDENT** asked to leave Clerk of Courts Office

**DESCRIPTION OF INCIDENT** After we had begun viewing absentee envelopes/applications, Rebecca Boyd came out of office stating we must leave. She gave us the attached email & statute that dictates we are not, as regular citizens, allowed to view absentee ballot info. She stated that she just called the SOS who told her we must leave. However, this was clarified in the attachment that she actually spoke to the Sr. Attorney for the SOS. Rebecca was insistant that we leave asap, so much so, that she asked we leave all contents as is instead of putting back in their order we found them in.

We left, but came back 5 min. later to request Rebecca give us this order in writing. She did - she attachments.

**REMEDY OR ACTION TAKEN**

I certify and affirm that the above information is true and correct.

**SIGNATURE**

Julia Hayes 7/7/14

Mail To:  
True the Vote  
P.O. Box 27378  
Houston, Texas 77227

Scan and E-mail to:  
[info@truethevote.org](mailto:info@truethevote.org)

Rebecca Boyd 7/7/14

Jeanne M. Wahl 7/7/2014

Jeffrey Hayes 7/7/2014

**Becky Boyd**

**From:** Craig Slay  
**Sent:** Monday, July 07, 2014 5:05 AM  
**To:** J. K. Stringer, Jr.; Becky Boyd; Rusty Carruth  
**Subject:** Fwd: Election Material Review  
**Attachments:** image002.png

See below from McDaniel campaign regarding election document review. As expected they intend to be on site at 9:30 am despite being told 9:30 is not convenient.

Craig Slay - Rankin County iPhone

Begin forwarded message:

**From:** Mitch Tyner <[mtyner@tynerlawfirm.com](mailto:mtyner@tynerlawfirm.com)>  
**Date:** July 6, 2014 at 11:38:06 PM CDT  
**To:** "cslay@rankincounty.org" <[cslay@rankincounty.org](mailto:cslay@rankincounty.org)>  
**Cc:** Front Desk <[frontdesk@tynerlawfirm.com](mailto:frontdesk@tynerlawfirm.com)>, Tina Penson <[tpenson@tynerlawfirm.com](mailto:tpenson@tynerlawfirm.com)>  
**Subject:** Election Material Review

Dear Craig:

Thank you for your letter dated 7/3/14 regarding the Senator McDaniel's request to review the poll books and ballot boxes pursuant to 23-15-911. I understand that you have a conflict for 9:30 in the morning. While the representatives will cooperate in any manner necessary to get this documentation, they will be there at 9:30 ready for the review. Your presence is not warranted nor is it allowed pursuant to the statute. Only the credentialed campaign representatives and the Rankin County Circuit Clerk or deputy clerk are to be present for this inspection.

After we notified the Cochran campaign and served them with notice, they in turn noticed the McDaniel campaign that they too will be reviewing the ballot boxes and poll books at 9:30 in the morning. Therefore our credentialed representatives will be there at 9:30 as previously scheduled. They, of course, will accommodate the needs of the clerk and wait until such time as it may be arranged. Any announcement made regarding rescheduling should be done at 9:30 when representatives of both campaigns are present.

As a courtesy to you, I anticipate the following to be there at 9:30 on behalf of the McDaniel campaign, however, if substitutions become necessary, those individuals shall have their credentials.

- 1.) Rob Rall
- 2.) Todd Macko
- 3.) Crystal Rall
- 4.) Attorney John McNeal

We look forward to working with the Circuit clerk tomorrow.

Sincerely,  
Mitch Tyner

\* I called Hawley Robertson, Sr. Atty, Elections Division  
MS Sec. of State and asked her if concerned citizens  
can see the ballot boxes & she said "no, only

ELECTION CODE

§ 23-15-911

SUBARTICLE A.

GENERAL PROVISIONS.

SEC.

- 23-15-911. Control of ballot boxes and their contents after general or primary elections; examinations by candidates or their representatives.  
23-15-913. Judges to be available to hear and resolve election day disputes.

**§ 23-15-911. Control of ballot boxes and their contents after general or primary elections; examinations by candidates or their representatives.**

(1) When the returns for a box and the contents of the ballot box and the conduct of the election thereat have been canvassed and reviewed by the county election commission in the case of general elections or the county executive committee in the case of primary elections, all the contents of the box required to be placed and sealed in the ballot box by the managers shall be replaced therein by the election commission or executive committee, as the case may be, and the box shall be forthwith resealed and delivered to the circuit clerk, who shall safely keep and secure the same against any tampering therewith. At any time within twelve (12) days after the canvass and examination of the box and its contents by the election commission or executive committee, as the case may be, any candidate or his representative authorized in writing by him shall have the right of full examination of said box and its contents upon three (3) days' notice of his application therefor served upon the opposing candidate or candidates, or upon any member of their family over the age of eighteen (18) years, which examination shall be conducted in the presence of the circuit clerk or his deputy who shall be charged with the duty to see that none of the contents of the box are removed from the presence of the clerk or in any way tampered with. Upon the completion of said examination the box shall be resealed with all its contents as theretofore. And if any contest or complaint before the court shall arise over said box, it shall be kept intact and sealed until the court hearing and another ballot box, if necessary, shall be furnished for the precinct involved.

(2) The provisions of this section allowing the examination of ballot boxes shall apply in the case of an election contest regarding the seat of a member of the State Legislature. In such a case, the results of the examination shall be reported by the applicable circuit clerk to the Clerk of the House of Representatives or the Secretary of the Senate, as the case may be.

**SOURCES:** Derived from 1972 Code § 23-3-23 [Codes, 1942, § 3169; Laws, 1935, ch. 19; repealed by Laws, 1986, ch. 495, § 333]; en, Laws, 1986, ch. 495, § 279; Laws, 1987, ch. 499, § 10; Laws, 2000, ch. 450, § 4, eff from and after August 7, 2000 (the date the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965 to the amendment of this section).

Editor's Note — Laws of 1987, ch. 499, § 20, provides as follows:

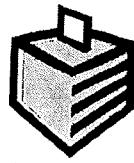


*Rebecca "Becky" Boyd*

Circuit Clerk  
Rankin County

601-825-1466  
601-825-1465 Fax  
Email: [rdnboyd@rankincounty.org](mailto:rdnboyd@rankincounty.org)

215 E. Government Street  
P. O. Drawer 1599  
Brandon, MS 39043



# TRUE *the* VOTE

## INCIDENT REPORT

NAME

Julia Hoenig

DATE

7/7/14

Please complete the fields below using the notes from your activities as a poll watcher

PRECINCT/WARD #

N/A

POLLING PLACE NAME

Rankin County Circuit Court

ADDRESS

215 E. Govt St

CITY

Brandon

STATE

MS

ZIP

39042

COUNTY

Rankin

Please complete the fields below using your notes.

POLL SUPERVISOR

Rebecca Boyd Circuit Clerk

ASST POLL SUPERVISOR

CLERK 1 NAME

CLERK 2 NAME

CLERK 3 NAME

CLERK 4 NAME

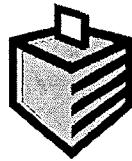
OFFENDER POSITION

DATE/TIME OF INCIDENT

approx. 12:30 am 7/7/14

Continue to Second Page

EXHIBIT 3-E



## TRUE the VOTE

**TYPE OF INCIDENT**

Condition of Absentee App / Envelope Boxes

**DESCRIPTION OF INCIDENT**

2 boxes were brought from Board of Election bldg (next door to Circuit Court) that had Absentee Apps & envelopes. We opened box w/ seal # 2414 & it had contents of Districts 1, 2, 5. Within the large envelopes for each district, they were separated by precincts. But each precincts envelopes and apps - ~~were~~ combined by rubberband - they were in no order. The apps were NOT with the corresponding envelopes. We had to ~~be~~ organize them before reviewing them. There were no tally sheets

**REMEDY OR ACTION TAKEN**

or any other documents.

I certify and affirm that the above information is true and correct.

**SIGNATURE**

Julia Harvey 7/7/14  
Deonna M. Wall 7/7/14

Mail To:

True the Vote  
P.O. Box 27378  
Houston, Texas 77227

Scan and E-mail to:  
[info@truethevote.org](mailto:info@truethevote.org)



# TRUE the VOTE

## INCIDENT REPORT

NAME *Julia Hoenig*

DATE *7/7/14*

Please complete the fields below using the notes from your activities as a poll watcher.

PRECINCT/WARD # *N/A*

POLLING PLACE NAME *Rankin County Circuit Court*

ADDRESS *215 E. Gov't St.*

CITY *Brandon*

STATE *MS*

ZIP *39042*

COUNTY *Rankin*

Please complete the fields below using your notes.

POLL SUPERVISOR *Rebecca Boyd Circuit Clerk*

ASST POLL SUPERVISOR

CLERK 1 NAME

CLERK 2 NAME

CLERK 3 NAME

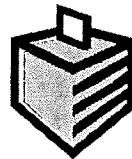
CLERK 4 NAME

OFFENDER POSITION

DATE/TIME OF INCIDENT *app. 8:40 am 7/7/14*

Continue to Second Page

EXHIBIT 3-F



## TRUE the VOTE

**TYPE OF INCIDENT**

*Condition of Ballot Boxes*

**DESCRIPTION OF INCIDENT**

When we were given access to the 4 absentee ballot boxes from primary & run-off, they one had been opened for McDaniel campaign. They described that it was sealed (box # 655) exactly like box #1271 in that the front seals were so loose you could put your entire hand & forearm into box. Both these boxes had seals on back (box #655 / back seal #394133) (box #1271 / back seal #1001831) that correctly sealed back opening. However, the 3rd & 4th boxes (#626, #699) had no seals on back. The opening was a slit that envelopes could be inserted into. None of these boxes had tally sheets, applications, chain of custody, accepted absentee envelopes. One box (seal # 655)

**REMEDY OR ACTION TAKEN**

*Yours,  
Julia Stoenig*  
had 1155 ballots, unattached to anything, 691 for Cochran, 464 for McDaniel - but we had no idea what the ballots were, but there were lots of Affidavit envelopes in this same box - and the ballots did not have folds like they came out of absentee envelopes or affidavit envelopes. Furthermore, box w/ seal #699 had ruined ballots that couldn't go thru machine - approx. 100-500 ruined Republican ballots. Box w/ seal #626 was Democratic Resolution Box and had ONE ruined ballot.

I certify and affirm that the above information is true and correct.

**SIGNATURE**

*Julia Stoenig 7/7/14  
Yours,  
Julia Stoenig 7/7/14*

Mail To:  
True the Vote  
P.O. Box 27378  
Houston, Texas 77227

Scan and E-mail to:  
[Info@truethevote.org](mailto:Info@truethevote.org)

*Robert W. McDaniel 7-7-14*



## TRUE *the* VOTE

### INCIDENT REPORT

NAME *Julia Hoenig*

DATE *7/7/14*

Please complete the fields below using the notes from your activities as a poll watcher

PRECINCT/WARD # *N/A*

POLLING PLACE NAME *Rankin County Circuit Court*

ADDRESS *215 E Gov't St.*

CITY *Brandon*

STATE *MS*

ZIP *39043*

COUNTY *Rankin*

Please complete the fields below using your notes.

POLL SUPERVISOR *Rebecca Boyd Circuit Court  
(Circuit Clerk)*

ASST POLL SUPERVISOR

CLERK 1 NAME

CLERK 2 NAME

CLERK 3 NAME

CLERK 4 NAME

OFFENDER POSITION

DATE/TIME OF INCIDENT

approx

9:20

7/7/14

Continue to Second Page

EXHIBIT 3-G



## TRUE the VOTE

**TYPE OF INCIDENT**

request for election data

**DESCRIPTION OF INCIDENT**

Rebecca had us fill out request for info. form to review the absentee ballots AND electronic files. Concerning electronic files, Rebecca was unsure she could provide it, b/c IT dept may not know how to run by precinct or redact DO & SS#. She will get back w/ us & took my phone #. Concerning the <sup>poll</sup> books, she couldn't provide until BD was redacted. She confirmed this w/ SOS office while we were in the office. For hardcopy reports, she would charge \$0.50/page or \$20/hr and stated there were > 7,000 Rep records & 77,000 Dem records.

B/c McDaniels' campaign was scheduled to view physical ballots at 9:30 am, she would not allow us to see them, even if they are

**REMEDY OR ACTION TAKEN**

Willing b/c space was limited. She said we could come back but had no idea when the campaign would be finished - likely the next day.

We provided the memorandum stating the NVRA of 1993 & she came back from phone call to SOS office that it has been added to for the redaction of BD b/c of identity theft increase. SOS had advised them not to ever give out info w/ BD.

I certify and affirm that the above information is true and correct.

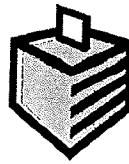
**SIGNATURE**

*Juli Henry* 7/7/14

Mail To:  
True the Vote  
P.O. Box 27378  
Houston, Texas 77227

*Deanne Webb* 7/7/2014  
*Ronald K. Davis* 7-7-14

Scan and E-mail to:  
info@truethevote.org



# TRUE *the* VOTE

## INCIDENT REPORT

**NAME** *Tolka Hoening*

**DATE** *7/7/14*

Please complete the fields below using the notes from your activities as a poll watcher.

**PRECINCT/WARD #** *N/A*

**POLLING PLACE NAME** *Jefferson Davis County*

**ADDRESS** \_\_\_\_\_

**CITY** \_\_\_\_\_ **STATE** \_\_\_\_\_ **ZIP** \_\_\_\_\_

**COUNTY** \_\_\_\_\_

Please complete the fields below using your notes.

**POLL SUPERVISOR** *Michelle Williams Deputy Clerk*

**ASST POLL SUPERVISOR** \_\_\_\_\_

**CLERK 1 NAME** \_\_\_\_\_ **CLERK 2 NAME** \_\_\_\_\_

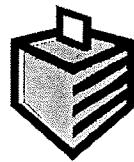
**CLERK 3 NAME** \_\_\_\_\_ **CLERK 4 NAME** \_\_\_\_\_

**OFFENDER POSITION** \_\_\_\_\_

**DATE/TIME OF INCIDENT** *4:50 pm 7/7/14*

Continue to Second Page

**EXHIBIT 3-H**



## TRUE the VOTE

**TYPE OF INCIDENT**

No access to election data

**DESCRIPTION OF INCIDENT**

Clint Langley, Circuit Clerk, was on vacation and Michelle would not allow any electronic data sent (said only he could do it) or allow us to view absentee ballots / poll book / envelopes / apps. The McDaniel campaign was there already viewing it. Michelle said she had received email from SOS's office earlier that day reminding them that no one except those affiliated w/ campaigns or candidate could see election ballots or poll book. She would not put this in writing for us - just verbal. Her words that she would not sign anything "b/c I'm not going to court."

**REMEDY OR ACTION TAKEN**

I certify and affirm that the above information is true and correct.

**SIGNATURE**

*Julie Henry* 7/7/14

Mail To:  
True the Vote  
P.O. Box 27378  
Houston, Texas 77227

*Clint Langley* 7-7-14

Scan and E-mail to:  
[info@truethevote.org](mailto:info@truethevote.org)

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

True the Vote, Jane Cohn, Brandie Correro, §  
Chad Higdon, Jennifer Higdon, Gene Hopkins, §  
Frederick Lee Jenkins, Mary Jenkins, Tavish §  
Kelly, Donna Knezevich, Joseph Knezevich, §  
Doris Lee, Lauren Lynch, Norma Mackey, Roy §  
Nicholson, Mark Patrick, Julie Patrick, Paul §  
Patrick, David Philley, Grant Sowell, Sybil §  
Tribble, Laura VanOverschelde, and Elaine §  
Vechorik §

Plaintiffs,  
v.

The Honorable Delbert Hosemann, in his official capacity as Secretary of State for the State of Mississippi, The Republican Party of Mississippi, Copiah County, Mississippi Election Commission, Hinds County, Mississippi Election Commission, Jefferson Davis County, Mississippi Election Commission, Lauderdale County, Mississippi Election Commission, Leake County, Mississippi Election Commission, Madison County, Mississippi Election Commission, Rankin County, Mississippi Election Commission, Simpson County, Mississippi Election Commission, and Yazoo County, Mississippi Election Commission

Defendants.

Cause No. 3:14-cv-00532-HTW-LRA

**DECLARATION**

By: Mike Rowley

1. I, Mike Rowley, verify under penalty of perjury under the laws of the United States of America that the following is true and correct. *See 28 U.S.C. § 1746.*
2. In the days following the June 24 Republican Primary Run-Off Election, I was part of a group of True the Vote volunteers who requested access to voting poll books from Rankin County's Circuit Clerk, Becky Boyd and the Circuit Clerks

EXHIBIT 4

of Simpson and Jefferson Davis Counties. The purpose of the request was to determine whether or not voters who had voted in the Democratic Primary unlawfully double voted in the Republican Primary Run-Off Election and whether any other irregularities had occurred during the Election.

3. I made an oral request for the records in person at Ms. Boyd's office on July 7, 2014.

4. Ms. Boyd informed our volunteer group that she could not and would not permit us to access and inspect the voter poll books because the books contained information deemed by the Secretary of State to be confidential.

5. Ms. Boyd later offered that she could only allow inspection of the poll books by the public if the dates of birth corresponding to each voter were redacted. She instructed that we had to pay for the cost of redaction.

6. Based on Ms. Boyd's instructions, I was unable to access or inspect the voter poll books within Rankin County.

7. I was also part of a volunteer group that made an oral request for records of Simpson and Jefferson Davis Counties on July 7, 2014.

8. As with our request of Rankin County, we requested records from the offices of the Circuit Clerks. The Clerks' offices initially advised us that they would not permit inspection and viewing of voter poll books. The Clerks' offices later advised the records would be made available provided voter birth dates were redacted from such records.

9. Based on these instructions, I was unable to access or inspect the voter poll books within Simpson and Jefferson Davis Counties.

10. Attached to this declaration are true and correct copies of the incident reports I completed regarding my request for records from Rankin County. The reports are filled out in my own handwriting and I recognize the writings as true and correct copies of the reports I completed based on their appearance, contents and substance.

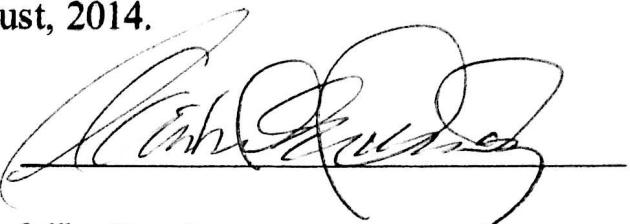
11. I also authored a written record request that is attached to the July 8, 2014 incident report authored by Julia Hoenig concerning Simpson County. The request

is filled out in my own handwriting and I recognize the writings as true and correct copies of the request I completed based on their appearance, content and substance.

12. Finally, the attached incident reports were prepared by me to describe the events that occurred during my visits. I made the reports immediately after the events described therein and when those events were fresh in my memory. Upon completing the reports, I gave them to True the Vote to maintain in its records

13. Further, declarant sayeth not.

Signed on this the 5<sup>th</sup> day of August, 2014.



Mike Rowley



# TRUE *the* VOTE

## INCIDENT REPORT

**NAME** MICHAEL ROWLEY

**DATE** 7-7-2014

Please complete the fields below using the notes from your activities as a poll watcher.

**PRECINCT/WARD #** BOARD OF ELECTIONS

**POLLING PLACE NAME**

**ADDRESS** E. GOVERNMENT ST

**CITY** BRANDON

**STATE** MS

**ZIP** 39043

**COUNTY** RANKIN COUNTY

Please complete the fields below using your notes.

**POLL SUPERVISOR** ELECTION CLERK — LESLIE LEWIS

**ASST POLL SUPERVISOR**

**CLERK 1 NAME**

**CLERK 2 NAME**

**CLERK 3 NAME**

**CLERK 4 NAME**

**OFFENDER POSITION**

**DATE/TIME OF INCIDENT** 7-7-2014 11:30 AM

Continue to Second Page

EXHIBIT 4-A



## TRUE the VOTE

**TYPE OF INCIDENT**

Locating Absentee Ballot Applications & Envelopes

**DESCRIPTION OF INCIDENT**

Upon requesting the above mentioned items at the Circuit Court office, I was told they are separated from the ballot at the Bd. of Elections the evening of the election, the ballots went to the Circuit Clerk the Absentee information placed back into the box sent from the precincts and sealed by the Bd. of ELECTIONS. I returned to the Bd. of ELECTIONS office and spoke with Leslie Lewis. I requested to see the Absentee App. and envelope. She stated that there was information such as Social Security numbers and Driver license numbers on some that need redacted, and it would take "several days".

**REMEDY OR ACTION TAKEN**

I asked Ms. Lewis if it would be possible to check and see if there was someone who might have "more information" to share. She asked I wait a moment. Upon returning Ms. Lewis and an assistant were carrying 5 boxes, all sealed which she explained contained the Absentee information. She had "made a few calls" and received permission to remove other any information in the boxes not involved in our request then make them accessible to me. I was not given a specific time frame. I was not permitted to observe the removal of any items from the boxes.

I certify and affirm that the above information is true and correct.

**SIGNATURE**

Mail To:

True the Vote  
P.O. Box 27378  
Houston, Texas 77227

Scan and E-mail to:  
[info@truethevote.org](mailto:info@truethevote.org)



## TRUE *the* VOTE

### INCIDENT REPORT

NAME **MICHAEL POWLEY**

DATE **7-7-14**

Please complete the fields below using the notes from your activities as a poll watcher.

PRECINCT/WARD # **RANKIN Co.**

POLLING PLACE NAME

ADDRESS **215 E Government St.**

CITY **Brandon**

STATE **MS**

ZIP **39042**

COUNTY **RANKIN**

Please complete the fields below using your notes.

POLL SUPERVISOR **Deputy Circuit Court Clerk**

ASST POLL SUPERVISOR

CLERK 1 NAME

CLERK 2 NAME

CLERK 3 NAME

CLERK 4 NAME

OFFENDER POSITION

DATE/TIME OF INCIDENT **7-7-14 1:30 pm**

Continue to Second Page

EXHIBIT 4-B



## TRUE the VOTE

**TYPE OF INCIDENT**

Error with Absentee Envelope and Application

**DESCRIPTION OF INCIDENT**

While sorting precinct 119 in Rankin County's Absentee paperwork I uncovered one envelope with no accompanying application, and one application with no accompanying envelope. When I asked the Deputy Clerk if she was aware, she stated "I recognize that signature, it's mine" I asked her name (which was not printed on the envelope) she would not answer. The application I had in hand was for a Frank (Illegible) I asked if her name was Frank, she ~~laughed~~ laughed and said no.

**REMEDY OR ACTION TAKEN**

I asked if she knew how this could happen She said "I don't have a clue". I stated "this is your envelope, where is the application?" Answer: "Must be in there somewhere" I asked "where would the envelope be for Frank's application?" Answer: "I dunno".

At no time would she give her name. She wore no nametag.

I placed the 2 items on the top of the precinct pack.

I certify and affirm that the above information is true and correct

**SIGNATURE**

Mail To:

True the Vote  
P.O. Box 27378  
Houston, Texas 77227

Scan and E-mail to:  
[info@truethetvote.org](mailto:info@truethetvote.org)